

REMARKS

The Applicants have now had an opportunity to carefully consider the remarks set forth in the Office Action mailed November 29, 2006. All of the rejections are respectfully traversed. Amendment, reexamination and reconsideration are respectfully requested.

The Office Action

In the Office Action mailed November 29, 2006:

claims 1-9 were rejected under 35 U.S.C. 101 for allegedly being directed to non-statutory subject matter;

claims 1-27 were rejected under 35 U.S.C. 102(b) as being unpatentable in view of U.S. Patent No. 5,502,759 to Cheng, et al. ("Cheng"); and

claims 1-27 were rejected under 35 U.S.C. 102(e) as being unpatentable in view of U.S. Patent Application Publication No. 2004/0208302 by Urban, et al. ("Urban").

The Present Application

By way of brief review, the claims of the present application are directed toward systems and methods for identifying a calling party to a called party before the called party answers a call. The identification is based on biometric information such as, for example, retinal scan information or facial recognition information. The biometric information is used to access an identity database. If the biometric information matches a record in the identity database, identity information is retrieved regarding the calling party and an MSC Network Origination message including the identity information retrieved from the identity database is transmitted.

The Cited References

In stark contrast, neither of the cited references disclose or suggest systems or methods for identifying a calling party to a called party wherein biometric information is used to access an identity database record of a calling party whereby identity information regarding the calling party is retrieved from the identity database and an MSC Network Origination message including the identity information retrieved from the identity database is transmitted.

Instead, Cheng is directed toward preventing fraud in the use of calling cards.

The apparatus and methods of Cheng rely on the use of centralized voice verification to authenticate a party claiming a particular identity and requesting service (Abstract). It is respectfully submitted that Cheng is not concerned with identifying a calling party to a called party before the called party answers a call. Accordingly, Cheng does not disclose or suggest transmitting an MSC Network Origination message including the identity information retrieved from an identity database. Furthermore, even if Cheng discusses using voice verification, Cheng does not disclose or suggest using biometric information to access an identity database record. For example, column 23, lines 32-35, indicate that a voice template is read that has been previously stored for a corresponding subscriber. However, Cheng does not disclose or suggest that biometric information is used to find or read that template. Column 32 indicates that a caller, in dialing a calling card call, dials into a public switched network via a telephone line. This caller enters his destination number preceded by 0 (column 32, lines 20-23). The caller is prompted to enter his calling card number and the number is collected (column 32, lines 31-32). Eventually, the stored voice template is requested with this number (column 32, lines 52-63).

Urban allegedly discusses a caller ID messaging device. Paragraph 41 indicates that a biometrics sensor may provide security features that prevent unauthorized users from exploiting the caller ID messaging device. However, Urban does not disclose or suggest using biometric information to access an identity database record of a calling party, retrieving identity information regarding the calling party from the identity database or transmitting an MSC Network Origination message including the identity information retrieved from the identity database.

The Claims Recite Statutory Subject Matter

Claims 1-9 were rejected under 35 U.S.C. §101 for allegedly being directed toward non-statutory subject matter. However, as indicated in the Office Action, whoever invents or discovers any new or useful process . . . may obtain a patent therefor. As stipulated by the Office Action, **claims 1-9** are directed toward method steps (i.e., a process). Accordingly, **claims 1-9** are directed toward statutory subject matter.

The Office Action asserts that it is uncertain what performs each of the method steps. However, it is respectfully submitted that 35 U.S.C. §101 does not require the

recitation of apparatus in the recitation of a process. Additionally, 35 U.S.C. §101 does not exclude steps which can be practiced mentally in conjunction with pen and paper.

Furthermore, the assertion that **claims 1-9** are directed toward method steps which can be practiced mentally in conjunction with pen and paper and are, therefore, non-statutory subject matter, is respectfully traversed. For example, **claim 1** recites *inter alia*: using biometric information to access an identity database record of a calling party and transmitting an MSC_Network Origination message using the identity information retrieved from the identity database. It is respectfully submitted that using biometric information to access an identity database cannot be performed using a pen and paper. Moreover, it is respectfully submitted that an MSC_Network Origination message including identity information retrieved from the identity database cannot be transmitted using pen and paper.

It is further submitted that the method recited in **claim 1** produces a concrete and tangible result, i.e., the transmission of an MSC_Network Origination message including identity information retrieved from the identity database.

For at least the foregoing reasons, **claim 1**, as well as **claims 2-9**, which depend therefrom, recites statutory subject matter. And withdrawal of the rejections under 35 U.S.C. §101 is respectfully requested.

The Claims are not Anticipated

Claims 1-27 were rejected under 35 U.S.C. 102(b) as being unpatentable in view of Cheng.

However, in explaining the rejections of **claims 1, 2, 7, 19, 20 and 25**, the Office Action directs the attention of the Applicants generally to FIGS. 1-4 and asserts that Cheng discloses a method for identifying a sender. However, independent **claims 1** and **19** recite a method and system, respectively, for identifying a calling party to a called party. It is respectfully submitted that Cheng does not disclose or suggest identifying a calling party or a sender to a called party. With regard to the recitation in **claim 1** of the method comprising receiving an origination message, the Office Action directs the attention of the Applicants to signal transfer points 61, 63, 76 and 78 of Cheng. However, it is respectfully submitted that disclosure of signal transfer points does not disclose or suggest receiving an origination message. Furthermore, it is respectfully submitted that Cheng does not disclose or suggest that STPs 61, 63, 76

and 78 receive origination messages.

With apparent reference to the recitation in **claim 1** of receiving biometric information regarding the calling party, the Office Action asserts that Cheng discloses receiving biometric information and directs the attention of the Applicants to FIG. 3. With regard to the remainder of this element of **claim 1** and the element recited following, i.e., using the biometric information to access an identity database record of the calling party, the Office Action directs the attention of the Applicants to reference numeral 350.

However, FIG. 3 and the discussion of the application processor 350 of Cheng do not disclose or suggest using biometric information to access an identity database record. Column 23, lines 30-35, indicate that a voice template that had been previously stored is read. However, the related discussion does not indicate what information is used to access the appropriate voice template. Indeed, it is respectfully submitted that the only detailed discussion in Cheng of how previously recorded voice templates are accessed is found at column 32, line 20 - column 33, line 10. In that section, it is explained that an announcement is played prompting the caller to enter his calling card number and that SVP collects number so entered. Once this number is completely obtained, the SVP fabricates both a query into a LIDB to verify this calling card number and a message to the SCP to provide the stored template for this caller (column 32, lines 31-36). The query contains the calling card number, among other information (column 32, lines 38-39). A tandem switch fabricates an appropriate SS7 message containing both the query to **validate the calling card number and a request for a desired form of the stored voice template associated with this number** (column 32, lines 52-55). In response to this message, an SCP performs an access into the LIDB to validate the calling card number as well as access and read the desired form of the requested voice template from the database (column 32, lines 60-63). The SCP then fabricates an appropriate response message containing the query response and the read template and forwards this message back to the tandem switch (column 32, lines 63-66).

Accordingly, it is respectfully submitted that Cheng discusses accessing a database record using a calling card number and does not disclose or suggest using biometric information to access an identity database record of a calling party as recited, for example, in **claim 1** and **claim 19** of the present application.

For at least the foregoing reasons, independent **claims 1 and 19**, as well as **claims 2-9 and 20-27**, which depend respectively therefrom, are not anticipated and are not obvious in light of Cheng.

Additionally, in support of the assertion that Cheng discloses transmitting an MSC_Network Origination message, the Office Action directs the attention of the Applicants to reference numeral 60 which identifies a common channel signaling network. CCS 60 is depicted in FIG. 1 (which is labeled prior art) and in FIG. 2, and is discussed in the detailed description beginning at column 8, line 13 - column 12, line 50. Cheng alleges that FIG. 2 depicts inventive network embodiment 200 for performing voice verification, on a centralized tandem office basis, for calling card calls. Cheng further explains that, as shown, system 200 is essentially formed by inserting inventive voice verification intelligent peripheral (VVIP) 300 in both the voice and data pads between tandem switch 40 and voice service node (VSN) 250 in system 100 shown in FIG. 1 (column 12, lines 39-46).

Accordingly, it is respectfully submitted that CCS 60 is conventional, and discussion of CCS 60 does not disclose or suggest transmitting an MSC_Network Origination message including the identity information retrieved from an identity database or database record wherein the database record was accessed using biometric information. Moreover, it is respectfully submitted that Cheng does not disclose or suggest an MSC_Network Origination message of any kind or transmitting and MSC_Network Origination message of any kind.

For at least the foregoing additional reasons, independent **claims 1 and 19**, as well as **claims 2-9 and 20-27**, which depend respectively therefrom, are not anticipated in light of Cheng.

Claims 2 and 20 recite receiving and means for receiving an origination message including the biometric information, thereby receiving the biometric information. The Office Action does not even assert that Cheng discloses this subject matter. Indeed, it is respectfully submitted that Cheng does not disclose or suggest receiving or means for receiving an origination message that includes biometric information regarding a calling party.

With regard to **claims 3 and 21**, the Office Action asserts that Cheng discloses the method of **claim 1** further comprising transmitting a request for the biometric information to user equipment of the calling party. However, even if Cheng discusses

requesting that a password be uttered, Cheng does not disclose or suggest the subject matter of **claims 1 or 19**, as described above. **Claims 3 and 21 depend from claims 1 and 19**, respectively. Cheng does not disclose or suggest transmitting a request for biometric information to be used in accessing an identity database record of the calling party.

With regard to **claims 4, 5, 11-16, 22 and 23**, the Office Action directs the attention of the Applicants to column 3, lines 13-17, and asserts that Cheng discloses the method of **claim 1** wherein receiving biometric information regarding the calling party comprises receiving retinal scan data or facial recognition data.

However, quite to the contrary, Cheng asserts that "given the nature of the telephone network, the only practical biometric characteristic is voice." (column 3, lines 17-19). In so doing, it is respectfully submitted that Cheng teaches away from the use of retinal patterns and finger prints (column 3, lines 13-17). Furthermore, Cheng does not disclose, suggest or enable a method for identifying a calling party to a called party before the called party answers a call that includes receiving retinal scan data regarding the calling party or finger print data regarding the calling party.

Furthermore, the assertions of the Office Action to the contrary notwithstanding, it is respectfully submitted that Cheng makes no mention of facial recognition data. Accordingly, Cheng cannot disclose or suggest receiving biometric information regarding a calling party comprises receiving facial recognition data.

For at least the foregoing reasons, **claims 4, 5, 21 and 23** are not anticipated by Cheng.

Furthermore, **claim 11** recites the system of **claim 10** wherein the switching center is operative to receive retinal scan information as the biometric data. It is respectfully submitted that the Office Action does not assert that Cheng discloses a switching center that is operative to receive retinal scan information as biometric data. Furthermore, Cheng does not disclose or suggest a switching center that is operative to receive retinal scan information as biometric data.

Claim 12 recites a piece of communications equipment adapted to collect retinal scan information and transmit the retinal scan information to the switching center. Cheng indicates that it is not practical, given the nature of the telephone network to collect and transmit retinal scan information (column 3, lines 13-21). Accordingly, it is respectfully submitted that Cheng does not disclose or suggest a piece of

communications equipment adapted to collect retinal scan information and transmit the retinal scan information to the switching center.

Claims 13 and 14 depend from **claim 12** and recite that the piece of communications equipment is adapted to collect retinal scan information from a user each time a call is placed and is adapted to collect the retinal scan information upon receiving a request, respectively. It is respectfully submitted that nothing in the cited portion of column 3 of Cheng discloses or suggests the subject matter recited in **claims 13 and 14**. **Claims 15 and 16** are directed toward the collection and transmission of facial image information. **Claim 15** recites that facial image information is collected each time a call is placed, and **claims 16** recites that facial image information is collected and transmitted upon receiving a request.

It is respectfully submitted that Cheng does not disclose or suggest facial image information. Moreover, Cheng does not disclose or suggest a piece of communication equipment adapted to collect and transmit facial image information as recited in **claims 15 and 16**.

Claim 7 recites: determining that the called party subscribes to a biometric information-based called ID feature.

The Office Action does not even assert that Cheng discloses the determining that the called party subscribes to a biometric information-based called ID feature. Accordingly, it is respectfully submitted that **claim 7** is not anticipated by Cheng.

In explaining the rejections of **claims 8, 9, 26 and 27**, the Office Action directs the attention of the Applicants to reference numerals 330 and 350. However, **claims 8 and 26** recite *inter alia*: using and means for using information in one or more spoken words in combination with the biometric information to access the identity database. It is respectfully submitted that disclosure related to the voice verification system 330 and application processor 350 of Cheng does not disclose or suggest accessing a database record using biometric information. Furthermore, the only biometric information discussed in Cheng is voice verification information. Accordingly, even if Cheng disclosed using voice verification information to access a record (which is disputed), Cheng does not disclose or suggest using spoken word information in combination with biometric information. The only biometric information deemed practical by Cheng is spoken word information. Accordingly, Cheng does not disclose or suggest the subject matter of **claims 8 and 26**.

Furthermore, as explained with reference to **claims 1 and 19**, Cheng appears to discuss accessing template information using a calling card number and does not disclose or suggest accessing and identity database record using biometric information.

Claims 9 and 27 recite, *inter alia*: converting and means for converting the one or more spoken words into one or more text words and using and means for using the one or more text words and the biometric information as one or more keys or indices into the identification database to access the identity database record of the calling party.

It is respectfully submitted that nothing in the discussion of the voice verification system 330 and the application processor 350 of Cheng discloses or suggests converting spoken words to text and using the text in combination with biometric data to access an identification database record of a calling party.

For at least the foregoing additional reasons, **claims 2-9 and 21-27** are not anticipated by Cheng.

With regard to independent **claim 10**, the Office Action makes assertions and cites portions of Cheng similar to those assertions and citations made with reference to **claims 1, 2, 7, 19, 20 and 25**. Accordingly, arguments similar to those submitted in support of **claims 1, 2, 7, 19, 20 and 25** are submitted in support of **claim 10**. Assertions of the Office Action to the contrary notwithstanding, FIGS. 1-4 do not disclose or suggest the subject matter of **claim 10**. Reference numeral 350 of Cheng identifies an application processor and not an identity database. Additionally, the application processor 350 is not accessible at least in part through the use of biometric data. Furthermore, the voice template database 335 is not disclosed as being accessible through the use of biometric data. Instead, as indicated above, columns 32 and 33 indicate that voice template information is accessed using a calling card number (e.g., column 32, lines 52-65).

Even if the depiction of a public switching network 20 and common channel signaling network 60 were fairly construed to disclose a switching center (which is disputed), nothing in the disclosure of Cheng discloses or suggests that either of the public switching network and common channel signaling network are operative to receive biometric information regarding a calling party and use the received biometric information to access the identity database to retrieve identity information therefrom and to generate and transmit an MSC_Network Origination message including the identity

information as recited in claim 10.

Furthermore, it is unclear if the Office Action considers elements 20 and 60 to be a switching center or the signaling transfer points 61, 63, 76, 78 to be switching centers. Clarification is respectfully requested. In any event, Cheng does not disclose or suggest that any of those elements receive biometric information regarding a calling party and use the received biometric information to access an identity database to retrieve identity information therefrom and to generate and transmit an MSC Network Origination message including the identity information. Further in this regard, it is respectfully submitted that the cited portion of column 12 (lines 19-28) do not disclose or suggest an MSC_Network Origination message or an MSC_Network Origination message including identity information that was retrieved or accessed using received biometric information.

For at least the foregoing reasons, **claim 10**, as well as **claims 11-18**, which depend therefrom, is not anticipated by Cheng.

Claims 11-16 were discussed above and are not anticipated by Cheng for additional reasons related to the subject matter recited therein.

With regard to **claims 17 and 18**, the Office Action directs the attention of the Applicants to reference numerals 300, 330 and 350 and asserts that Cheng discloses the subject matter recited in **claims 17 and 18** in FIG. 3.

However, it is respectfully submitted that nothing in the disclosure of the voice verification intelligent peripheral 300 or the voice verification system 330 and application processor 350 included therein discloses or suggested a switching center that is operative to receive raw biometric data and to parameterize the raw biometric data for use as a key or index into the identity database. It is respectfully submitted that the VVIP 300 of Cheng is not a switching center. Accordingly, FIG. 3 of Cheng cannot disclose or suggest the switching center recited in **claim 17** or the switching center recited in **claim 18**. As explained at column 12, lines 43-47, system 200 is essentially formed by inserting the VVIP 300 in both the voice and data paths between tandem switch 40 and voice service node 250 in system 100 shown in FIG. 1. Accordingly, VVIP 300 is not a switching center. FIG. 3 depicts a block diagram of the VVIP 300 (column 14, lines 18-19).

Furthermore, nothing in FIG. 3 or the text associated therewith discloses, suggests, enables or anticipates receiving raw biometric data and parameterizing the

raw biometric data for use as a key or index into an identity database as recited in **claim 17** or receiving parameterized biometric data from a piece of user equipment used by the calling party and to use the parameterized biometric data as a key or index into the identity database as recited in **claim 18**.

For at least the foregoing additional reasons, **claims 17 and 18** are not anticipated by Cheng.

Claims 1-27 were rejected under 35 U.S.C. 102(e) as being anticipated by Urban.

Regarding **claims 1, 2, 7, 19, 20 and 25**, the Office asserts that Urban, in FIGS. 1-7, discloses a method for identifying a sender. However, independent **claims 1** and **19** of the present application do not recite a method for identifying a sender. Instead, **claims 1 and 19** recite a method and a system, respectively, for identifying a calling party to a called party before the called party answers a call.

Additionally, in an apparent reference to **claims 1 and 19**, the Office Action asserts that Urban discloses a method comprising receiving an origination message and directs the attention of the Applicants to paragraph 12 of Urban. However, paragraph 12 explains that a calling party may use a caller ID messaging device of Urban to supplant the calling line identification signal with a caller ID messaging signal and transmit the caller ID messaging signal to a destination communications address. Paragraph 12 does not discuss an origination message or a device receiving an origination message.

The Office Action directs the attention of the Applicants to FIG. 2 and to reference numeral 719 in regard to using the biometric information to access an identity database record.

However, the biometric sensor depicted in FIG. 2 is disclosed as possibly providing security features that prevent unauthorized users from exploiting the caller ID messaging device (paragraph 41). Urban does not disclose or suggest that information from the biometric sensor is used to access an identity database record. Moreover, Urban does not disclose or suggest transmitting an MSC_Network Origination message including the identity information retrieved from the identity database using the biometric information. The discussion of the telecommunications network 710 does not disclose or suggest transmitting an MSC_Network Origination message including identity information retrieved from the identity database. The Office Action appears to assert

that reference numeral 719 of Urban is associated with an identity database record. However, reference numeral 719 is associated with a database of one or more caller ID messaging profiles (paragraph 45). The caller ID messaging data server 718 accesses the database 719 of caller ID messaging profiles to determine if the receiving party's communication device blocks caller ID messaging calls, to access presentation capabilities of the destination communications address and/or the receiving party's communications device 130, and/or to obtain other preferences, instructions, files and/or associated caller ID messaging data (paragraph 46). Accordingly, it is respectfully submitted that Urban does not disclose or suggest accessing an identity database record of a **calling** party from the database 719. Moreover, Urban does not disclose or suggest accessing the database 719 by using biometric information regarding the calling party.

For at least the foregoing reasons, independent **claims 1 and 19**, as well as **claims 2-9 and 20-27** which depend therefrom, are not anticipated in light of Urban.

Claims 2 and 20 recite receiving and means for receiving an origination message including the biometric information. It is respectfully submitted that the Office Action does not assert that Urban discloses receiving an origination message including biometric information. Furthermore, Urban does not disclose or suggest receiving an origination message that includes biometric information. Accordingly, **claims 2 and 20** are not anticipated by Urban.

With regard to **claims 3 and 21**, the Office Action asserts that Urban discloses the method of **claim 1** further comprising transmitting a request for the biometric information to user equipment of the calling party. However, in support of this assertion, the Office Action only directs the attention of the Applicants to reference numeral 200. Even if FIG. 2 shows that the caller ID messaging device of Urban can include a biometric sensor, Urban does not disclose or suggest that any device or element transmits a request for biometric information to user equipment of the calling party. Clarification and elaboration are respectfully requested.

With regard to **claims 4, 5, 11-16, 22 and 23**, the Office Action asserts that Urban discloses the method of **claim 1** wherein receiving biometric information regarding the calling party comprises receiving retinal scan data or facial recognition data and directs the attention of the Applicants to paragraph 41. However, **claims 4 and 5** depend from **claim 1**, and **claims 22 and 23** depend from **claim 19** and are not

anticipated by Urban for at least that reason.

Claims 11-16 depend from **claim 10**, and **claim 10**, as will be discussed below, is not anticipated by Urban. Accordingly, **claims 11-16** are not anticipated by Urban. Furthermore, **claim 11** recites a switching center is operative to receive retinal scan information as the biometric data. However, even if paragraph 41 indicates that the biometric sensor 246 could comprise a retinal recognition device, Urban does not disclose or suggest transmitting retinal scan information to a switching center or that a switching center is operative to receive retinal scan information as the biometric data.

Even if FIG. 1 is fairly construed as disclosing a piece of communication equipment adapted to collect retinal scan information, FIG. 1 and paragraph 41 and, indeed, all of Urban, do not disclose or suggest a piece of communication equipment adapted to collect retinal scan information and transmit the retinal scan information to a switching center as recited in **claim 12**.

Claims 13 and 14 depend from **claim 12** and are not anticipated for at least that reason. Additionally, **claim 13** recites the piece of communication equipment is adapted to collect the retinal scan information from a user of the piece of communication equipment each time a call is to be placed. **Claim 14** recites the retinal scan information is collected upon receiving a request for retinal scan information from the switching center. It is respectfully submitted that Urban does not disclose or suggest the subject matter of **claims 13 and 14**. Clarification and elaboration are respectfully requested. **Claims 15 and 16** are similar to **claims 13 and 14** but are directed toward facial image information instead of retinal scan information. Accordingly, arguments similar to those submitted in support of **claims 13 and 14** are submitted in support of **claims 15 and 16**.

For at least the foregoing additional reasons, **claims 11-16** are not anticipated by Urban.

With regard to **claims 6 and 24**, the Office Action directs the attention of the Applicants vaguely to FIGS. 1-7 and to paragraph 39. However, **claims 6 and 24** recite extracting and a means for extracting identifying parameters from biometric information and using and means for using the extracted identifying parameters as a key or index into the identification database to access an identity database record of the calling party. It is respectfully submitted that paragraph 39 does not disclose or suggest or mention biometric information. Paragraph 39 does not disclose or suggest extracting

identifying parameters from biometric information. Furthermore, paragraph 39 does not disclose or suggest accessing an identity database record of the calling party or using extracted identity parameters from biometric information as a key or index into the identification database to access an identity database record of the calling party as recited in **claims 6 and 24** of the present application. Clarification and elaboration are respectfully requested.

With regard to **claims 8, 9, 26 and 29**, the Office Action no longer casts reference numeral 719 as the identity database but instead attempts to draw an analogy between the item associated with reference numeral 710 and the identity database recited in the claims of the present application. However, 710 is a telecommunications network (paragraph 45) and does not disclose or suggest an identity database. Furthermore, FIGS. 2 and 7 and reference numerals 246 and 710 and paragraph 39, all cited by the Office Action, do not disclose or suggest receiving one or more spoken words and using information in the one or more spoken words in combination with biometric information to access an identity database as recited in **claims 8 and 26** of the present application or converting one or more spoken words into one or more text words and using the one or more text words and the biometric information as one or more keys or indices into an identification database to access the identity database record of the calling party as recited in **claims 9 and 29** of the present application. Clarification and elaboration are respectfully requested.

For at least the foregoing additional reasons, **claims 2-9 and 20-27** are not anticipated by Urban.

Regarding independent **claim 10**, the Office Action asserts that Urban, in FIGS. 1-7, discloses a system operative for identifying a sender. However, independent **claim 10** does not recite a system operative for identifying a sender. Instead, **claim 10** recites a system operative to identify a calling party to a called party before the called party answers a call.

Additionally, the Office Action characterizes the caller ID messaging profile database 719 of Urban as an identity database accessible, at least in part, through the use of biometric data, the identity database including identifying records in association with respective biometric data. However, as explained above with reference to **claims 1 and 19**, database 719 of Urban does not include identifying records in association with respective biometric data. Instead, the database 719 of caller ID messaging

profiles is accessed to determine if the receiving party's communication device blocks caller ID messages, to access presentation capabilities of the destination communication address and/or the receiving party's communication device (paragraph 46). Furthermore, Urban does not disclose or suggest that the database 719 is accessible, at least in part, through the use of biometric data or that database 719 includes identifying records in association with respective biometric data. While FIG. 7 depicts switches 705 and 720, Urban does not disclose or suggest that either of the switches 705, 720 is operative to receive biometric information regarding a calling party and to use the received biometric information to access the identity database to retrieve identity information therefrom and to generate and transmit an MSC_Network Origination message including the identity information. Accordingly, it is respectfully submitted that paragraph 39 and FIGS. 1-7, cited by the Office Action, do not disclose or suggest the subject matter from **claim 10** of the present application.

For at least the foregoing reasons, **claim 10**, as well as **claims 11-18**, which depend therefrom, is not anticipated in light of Urban.

With regard to **claims 17 and 18**, the Office Action directs the attention of the Applicants to FIGS. 2 and 7 and reference numerals 246, 710 and 200. In so doing, the Office Action, again, incorrectly characterizes telecommunications network 710 as an identity database. Furthermore, it is respectfully submitted that the mere depiction of a biometric sensor 240, telecommunication network 710 (or caller ID message database 719) and a piece of user equipment 200 found in FIGS. 2 and 7 does not disclose or suggest the subject matter of **claims 17 and 18**. Furthermore, the entire disclosure of Urban does not disclose or suggest a switching center that is operative to receive raw biometric data and to parameterize the raw biometric data for use as a key or index into the identity database as recited in **claim 17** or that a switching center is operative to receive parameterized biometric data from a piece of user equipment used by the calling party and to use the parameterized biometric data as a key or index into the identity database. The only use of biometric data suggested by Urban is to control the access or to prevent unauthorized users from exploiting the caller ID messaging device itself. Urban does not disclose or suggest that biometric information is sent to or received by a switch or that a switch uses biometric information for any purpose.

For at least the foregoing additional reasons, **claims 17 and 18** are not anticipated and are not obvious.

Telephone Interview

In the interests of advancing this application to issue the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 1, 9, 19 and 27 have been amended to correct antecedence. The Amendments to these claims should not require a new search. For at least the foregoing reasons, the application is in condition for allowance. Accordingly, an early indication thereof is respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



April 4, 2007

Date

Joseph D. Dreher, Reg. No. 37,123
Thomas Tillander, Reg. No. 47,334
1100 Superior Avenue
Seventh Floor
Cleveland, Ohio 44114-2579
216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

deposited with the United States Postal Service as First Class mail, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.

deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Express Mail Label No.:	Signature
	
Date	Printed Name
April 4, 2007	Roseanne Giuliani

N:\LUTZ\200245\IEW0005251V001.doc